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**VIA CM/ECF**

The Honorable Judge Kiyo A. Matsumoto  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Samanich v. Facebook et al.*, 1:20-cv-04058-KAM-LB

Dear Judge Matsumoto:

I write on behalf of Uber Technologies, Inc. in advance of the Pre-Motion Conference this Court has scheduled to occur on October 8, 2020. Dkt. 8. Like Facebook and Twitter, Uber intends to move to dismiss Plaintiff's frivolous complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure or, at a minimum, to join these motions to avoid putting duplicative briefing and arguments before the Court.

Uber joins the arguments made in Facebook's pre-motion letter. As explained in Facebook's letter, Plaintiff's complaint fails to state facts on which any relief could be granted, setting forth unsupported allegations that unspecified persons conspired to steal Plaintiff's ideas for Facebook, Twitter, and Uber based on statements Plaintiff made in an online chatroom in the early 2000s. *See* Dkt. 1-1 (Complaint); *see also* Dkt. 1-4 ("Motion of Civil Claim"). The Court should dismiss Plaintiff's complaint as frivolous if he seeks to litigate in forma pauperis. Should Plaintiff pay the filing fee, the Court should dismiss the complaint under Rule 12(b)(6).

Respectfully submitted,

/s/ David J. Fioccola

David J. Fioccola

cc: Plaintiff (by US Mail)